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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/664,566	09/17/2003	James W. Iseli	IO-1096	4584	
24923	7590 07/18/2005		EXAMINER		
PAUL S MA	DAN		HUGHES,	SCOTT A	
•	OSSMAN & SRIRAM, PC		ADTIBUT	DADED MUADED	
2603 AUGUSTA, SUITE 700		ART UNIT	PAPER NUMBER		
HOUSTON,	HOUSTON, TX 77057-1130				
			DATE MAILED: 07/18/200	DATE MAILED: 07/18/2005	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner		Application No.	Applicant(a)				
Examiner Soit A. Hughes Soit A. Hughes - The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) FROM THE MAILING DATE of THIS COMMUNICATION. Exteriors of time may be available under the proteions of 3 of RT 1.136(n). In or even, however, may a reply be timely filed 1 the period is revely specified shower, the maintern stability period will apply and will report SIX (8) MONTHG from her mailing date of his communication of the protein reply is specified shower, the maintern stability period will apply and will report SIX (8) MONTHG from her mailing date of his communication. Failure to prove the protein period for reply is specified shower, the maintern stability period will apply and will report SIX (8) MONTHG from her mailing date of his communication. Failure to prove a sheep control of the communication, even if timely fired, may reduce they extend the management. See 37 CFR 1.704(n) state the mailing date of the communication, even if timely fired, may reduce they extend them adjustment. See 37 CFR 1.704(n) state the mailing date of his communication, even if timely fired, may reduce they extend them adjustment. See 37 CFR 1.704(n) state the mailing date of his communication, even if timely fired, may reduce they extend them adjustment. See 37 CFR 1.704(n) state of the communication of the commu							
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Paper No(s)/Mail Date 6) Other:	3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08	5) Notice of Informal F					

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DETAILED ACTION

Election/Restrictions

- 1. Restriction to one of the following inventions is required under 35 U.S.C. 121:
 - I: Claims 1-26, 61-63, 69-71, drawn to an apparatus and system for seismic surveying, classified in class 367, subclass 56.
 - II. Claims 27-47, drawn to a method for seismic data acquisition, classified in class 367, subclass 37.
 - III. Claims 48-54, drawn to an apparatus for detecting unwanted movement of a seismic data acquisition device, classified in class 340, subclass 568.1.
 - IV. Claims 55-60, drawn to a method for detecting unwanted movement of a seismic device, classified in class 340, subclass 568.1.
 - V. Claim 64, drawn to an apparatus for seismic data acquisition using wireless communication, classified in class 367, subclass 76.
 - VI. Claims 65-68, drawn to deploying seismic sensors and updating parameters based on determined location parameters, classified in class 367, subclass 58.
- 2. The inventions are distinct, each from the other because of the following reasons: Inventions I/II/V/VI and III/IV are unrelated. Inventions are unrelated if it can be shown that they are not disclosed as capable of use together and they have different modes of operation, different functions, or different effects (MPEP § 806.04, MPEP § 808.01). In the instant case the different inventions have different functions.

Inventions I/II/V/VI are directed towards seismic data acquisition. Inventions III/IV are directed towards a motion sensor for detecting unwanted signals caused by motion due to wildlife interference or theft of a device (Paragraph [0044] of the specification).

Inventions I/V and II/VI are related as process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the apparatus could be used to practice another process, such as recording and communicating seismic signals from an earthquake.

Inventions III and IV are related as a process and apparatus for its practice. The inventions are distinct if it can be shown that either: (1) the process as claimed can be practiced by another materially different apparatus or by hand, or (2) the apparatus as claimed can be used to practice another and materially different process. (MPEP § 806.05(e)). In this case, the apparatus could be used to practice another process, such as sensing the theft of a safe due to detected motion signals.

Inventions I and V are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the

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particulars of the subcombination as claimed because the seismic signals could be communicated over a conducting wireline instead of wirelessly. The subcombination has separate utility such as wirelessly transmitting signals indicative of temperature, pressure, or other types of data with a central controller in a seismic survey.

Inventions VI and II are related as combination and subcombination. Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations (MPEP § 806.05(c)). In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the acquisition device could be located away from the sensor and the data could be transferred from the sensor to the acquisition device and also the signal could be analog instead of digital. The subcombination has separate utility such as communicating signals from seismic sensors permanently placed into a wellbore.

- 3. Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.
- 4. Applicant is advised that the reply to this requirement to be complete must include an election of the invention to be examined even though the requirement be traversed (37 CFR 1.143).

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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott A. Hughes whose telephone number is 571-272-6983. The examiner can normally be reached on M-F 9:00am to 5:30pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jack Keith can be reached on (571) 272-6878. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SAH

JACK-KEITH
PRIMARY EXAMINER

WE 363